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PTO/SB/64a (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN  
OR INTERNATIONAL FILING (37 CFR 1.137(f))**

Docket Number (Optional)  
2-591.5

First named inventor: Ian E. Abrahams

Application No.: 09/774,538

Art Unit: 3623

Filed: January 31, 2001

Examiner: Tamara L. Graysay

Title: System for Managing Risk

Attention: Office of Petitions  
**Mail Stop Petition**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

**PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION  
UNDER 37 CFR 1.137(b)**

1. Petition fee

Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity – fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after the filing. The filing date of the subsequently filed foreign or international application is 31 January 2002 (PCT/AU02/000094).

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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01/07/2005 ZJUHAR1 00000070 09774538

01 FC:2453 750.00 DA

**STATEMENT:** The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

4 Jan. 2005

Date

James A. Retter

41,266

Typed or printed name  
Ware, Fressola, Van Der Sluys & Adolphson LLP

Registration Number, if applicable

Bradford Green, Bldg. 5, 755 Main St., Monroe, CT 203-261-1234

Address

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Telephone Number

Address

Enclosures:  Fee Payment Additional sheets containing statements establishing unintentional delay Other: \_\_\_\_\_

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

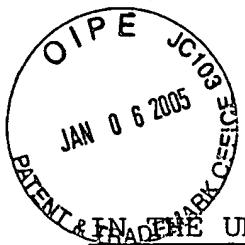
 Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

Date

Signature

Sue Muro

Typed or printed name of person signing certificate



Attorney Docket No.: 2-591.5  
Serial No.: 09/774,538

UNITED STATES PATENT AND TRADEMARK OFFICE

First named inventor: Ian E. Abrahams

Serial No.: 09/774,538

Filed: Jan. 31, 2001

Title: System for Managing Risk

Group Art Unit: 3623

Examiner: Graysay, Tamara L.

STATEMENTS ESTABLISHING UNINTENTIONAL DELAY  
(TO ACCOMPANY PETITION TO REVIVE)

Commissioner for Patents  
United States Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is filed to make of record a statement to accompany a petition to revive the above application.

*\*\*\*If any fee and/or extension is required in addition to any enclosed herewith, please charge Account No. 23-0442.*

01/07/2005 ZJUHAR1 00000070 230442 09774538-

01 FC:2453 750.00 DA-

STATEMENT

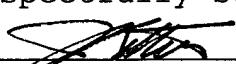
The above application was further filed as an International Application using a foreign associate in Australia (because the requirements for filing by the below could not be met because of the citizenship and residence of the inventors and the citizenship of the assignee) and applicant's attorney did not notify the US PTO of same within the forty-five day period required per 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c). At the time of the (US) filing of the above application, the first-named inventor, Ian E. Abrahams, stated that he did not wish to further file the application. However, when we contacted Mr. Abrahams with a reminder of the deadline (having first notified him at the six-month anniversary) for further filing, Mr. Abrahams stated near the end of the deadline (22 Jan. 2002) that he did wish to file an International Application and would send us a retainer for same. The below attorney, in haste to further file (which required finding a foreign associate and not simply ourselves preparing and filing an International application), simply did not recall at the time of the further filing that Mr. Abrahams had earlier indicated he would not further file and did not recall the non-publication request until Oct. 29, 2004, when the below was reviewing the file for responding to an Office action.

Respectfully submitted,

3 Jan. 2004

Date

WARE, FRESSOLA, VAN DER SLUYS  
& ADOLPHSON LLP  
755 Main Street, P.O. Box 224  
Monroe, CT 06468-0224

  
\_\_\_\_\_  
James A. Retter

Registration No. 41,266

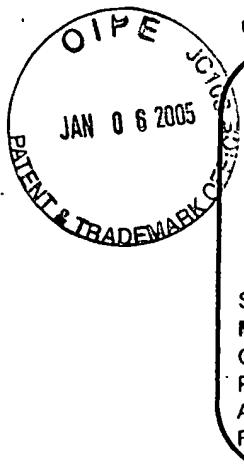
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O P T E

JAN 06 2005



**RESCISSON OF PREVIOUS  
NONPUBLICATION REQUEST  
(35 U.S.C. 122(b)(2)(B)(ii))  
AND, IF APPLICABLE,  
NOTICE OF FOREIGN FILING  
(35 U.S.C. 122(b)(2)(B)(iii))**

Send completed form to:

Mail Stop PG Pub  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX: (703) 305-8568

Application Number	09/774,538
Filing Date	January 31, 2001
First Named Inventor	Ian E. Abrahams
Title	System for Managing Risk
Atty Docket Number	2-591.5
Group Art Unit	3623
Examiner	Tamara L. Graysay

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby rescind the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

*If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).*

1 Jan. 05

Date

203-261-1234

Telephone Number

  
Signature

James A. Retter

Typed or printed name

**This request must be signed in compliance with 37 CFR 1.33(b).**

If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703) 605-4283 or by e-mail at PGPub@USPTO.gov.

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PG Pub, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile ((703) 305-8568) transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Sue Muro	Date	<u>Jan 4, 2005</u>
Signature	<u>Sue Muro</u>		

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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